

J1064 U.S. PTO
10/13/02

02-05-2

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PTO/SB/05 (03-01)Please type a plus sign (+) inside this box → Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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UTILITY
PATENT APPLICATION
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. UTR-104D1

First Inventor Michael B. Zemel

Title Materials and Methods for the Treatment or
Prevention of Obesity

Express Mail Label No. ET324078612US

PRO
S. 066057
10/13/02

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. Fee Transmittal Form (e.g. PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. Applicant claims small entity status.
See 37 CFR 1.27
3. Specification [Total Pages 32]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed Sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. Drawing(s) (35 U.S.C. 113) [Total Sheets 13]
5. Oath or Declaration [Total Pages 2]
 - a. Newly executed (original or copy)
 - b. Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
 - i. **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, 37 CFR 1.63(d)(2) and 1.33(b).
6. Application Data Sheet. See 37 CFR 1.76

7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. paper
 - c. Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. Assignment Papers (cover sheet & document(s))
10. 37 CFR 3.73(b) Statement Power of Attorney (when there is an assignee)
11. English Translation Document (if applicable)
12. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations
13. Preliminary Amendment
14. Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. Other: Cert. Of Express Mailing

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation Divisional Continuation-in-Part (CIP)

of prior application No. 09/654,357

Prior application information:

Examiner: Helen Nguyen

Group Art Unit: 1617

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

 Customer Number or Bar Code Label Correspondence address below

23557

| | | | |
|---------|----------------------------|----------|--|
| Name | | | |
| Address | BEST AVAILABLE COPY | | |
| City | State | Zip Code | |
| Country | Telephone | Fax | |

| | | | |
|-------------------|-----------------------------|-----------------------------------|------------------|
| Name (Print/Type) | Frank C. Eisenschenk | Registration No. (Attorney/Agent) | 45,322 |
| Signature | <i>Frank C. Eisenschenk</i> | | Date |
| | | | January 31, 2002 |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 1,166.00)

Complaint if Known

| | |
|----------------------|------------------|
| Application Number | not yet assigned |
| Filing Date | January 31, 2002 |
| First Named Inventor | Michael B. Zemel |
| Examiner Name | unknown |
| Group Art Unit | unknown |
| Attorney Docket No. | UTR-104D1 |

METHOD OF PAYMENT

FEE CALCULATION (continued)

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 19-0065

Deposit Account Name Saliwanchik, Lloyd & Saliwanchik

Charge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17
 Applicant claims small entity status.
See 37 CFR 1.27

2. Payment Enclosed:

Check Credit Card Money Order Other

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Entity Fee (\$) | Fee Description | FEE PAID |
|----------------------------|----------------------------|-----------------|-----------------|------------------------|
| 101 | 740 | 201 | 370 | Utility filing fee |
| 106 | 330 | 206 | 165 | Design filing fee |
| 107 | 510 | 207 | 255 | Plant filing fee |
| 108 | 740 | 208 | 370 | Reissue filing fee |
| 114 | 160 | 214 | 80 | Provisional filing fee |

SUBTOTAL (1) (\$ 740.00)

2. EXTRA CLAIM FEES

| | | Extra Claims | Fee from Below | Fee Paid |
|--------------------|----|--------------|----------------|----------|
| Total Claims | 25 | -20** = 5 | X 18 | = 90 |
| Independent Claims | 7 | -3** = 4 | X 84 | = 336 |
| Multiple Dependent | | | 0 | = 0 |

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Entity Fee (\$) | Fee Description |
|----------------------------|----------------------------|-----------------|-----------------|
| 103 | 18 | 203 | 9 |
| 102 | 84 | 202 | 42 |
| 104 | 280 | 204 | 140 |
| 109 | 84 | 209 | 42 |
| 110 | 18 | 210 | 9 |

Claims in excess of 20
Independent claims in excess of 3
Multiple dependent claim, if not paid
**Reissue independent claims over original patent.
**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 426.00)

3. ADDITIONAL FEES

| Fee Code | Large Entity Fee (\$) | Small Entity Fee Code (\$) | Fee Description | FEE PAID |
|----------|-----------------------|----------------------------|--|----------|
| 105 | 130 | 205 | Surcharge-late filing fee or oath | |
| 127 | 50 | 227 | Surcharge-late provisional filing fee or cover sheet | |
| 139 | 130 | 139 | Non-English specification | |
| 147 | 2,520 | 147 | For filing a request for <i>ex parte</i> reexamination | |
| 112 | 920* | 112 | Requesting publication of SIR prior to Examiner action | |
| 113 | 1,840* | 113 | Requesting publication of SIR after Examiner action | |
| 115 | 110 | 215 | Extension for reply within first Month | |
| 116 | 400 | 216 | Extension for reply within second month | |
| 117 | 920 | 217 | Extension for reply within third month | |
| 118 | 1,440 | 218 | Extension for reply within fourth month | |
| 128 | 1,960 | 228 | Extension for reply within fifth month | |
| 119 | 320 | 219 | Notice of Appeal | |
| 120 | 320 | 220 | Filing for a brief support of an appeal | |
| 121 | 280 | 221 | Request for oral hearing | |
| 138 | 1,510 | 138 | Petition to institute a public use proceeding | |
| 140 | 110 | 240 | Petition to revive-unavoidable | |
| 141 | 1,280 | 241 | Petition to revive-unintentional | |
| 142 | 1,280 | 242 | Utility issue fee (or reissue) | |
| 143 | 460 | 243 | Design issue fee | |
| 144 | 620 | 244 | Plant issue fee | |
| 122 | 130 | 122 | Petitions to the Commissioner | |
| 123 | 50 | 123 | Processing fee under 37 CFR 1.17(q) | |
| 126 | 180 | 126 | Submission of Information Disclosure Stmt. | |
| 581 | 40 | 581 | Recording each patent assignment per property (times number of properties) | |
| 146 | 740 | 246 | Filing a submission after final rejection (37 CFR §1.129(a)) | |
| 149 | 740 | 249 | For each additional invention to be examined (37 CFR §1.129(b)) | |
| 179 | 740 | 279 | Request for Continued Examination (RCE) | |
| 169 | 900 | 169 | Request for expedited examination of a design application | |

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid **BEST AVAILABLE COPY** SUBTOTAL (3) (\$ 0.00)

**or number previously paid, if greater; For Reissues, see above.

Complete (if applicable)

| | | | | | |
|-------------------|-----------------------------|-----------------------------------|--------|------------------|--------------|
| SUBMITTED BY | | | | | |
| Name (Print/Type) | Frank C. Eisenschenk, Ph.D. | Registration No. (Attorney/Agent) | 45,332 | Telephone | 352-375-8100 |
| Signature | <i>Frank C. Eisenschenk</i> | | Date | January 31, 2002 | |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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Utility Patent Application
Docket No. UTR-104D1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. : UTR-104D1

Applicants : Michael B. Zemel, Hang Shi, Paula C. Zemel

For : Materials and Methods for the Treatment or Prevention of Obesity

Box PATENT APPLICATION

Assistant Commissioner for Patents

Washington, D.C. 20231

CERTIFICATE OF MAILING BY EXPRESS MAIL (37 CFR 1.10)

Express Mail No.: ET 324078612 US Date of Deposit: January 31, 2002

ET324078612US

I hereby certify that the items listed on the attached Utility Patent Application Transmittal form, with copies as required for authorization for use of Deposit Account No. 19-0065, are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and are addressed to: Box PATENT APPLICATION, Assistant Commissioner for Patents, Washington, D.C. 20231.

Amy Nguyen
Name of person mailing paper


Signature

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